REMARKS

Claims 1-20 are now pending in the present application. Claims 1-3 and 7-9 have been amended, and Claims 13-20 have been added, herewith. Reconsideration of the claims is respectfully requested.

Amendments were made to the specification to correct errors and to clarify the specification. No new matter has been added by any of the amendments to the specification.

I. Objection to Specification

The Examiner objected to the disclosure because of various informalities relating to missing serial numbers for incorporated patent applications. Applicants have amended the Specification herewith as directed by the Examiner. Therefore, this objection has been overcome.

II. 35 U.S.C. § 102, Anticipation

The Examiner rejected Claims 1-2, 5-8 and 11-12 under 35 U.S.C. § 102(b) as being anticipated by Thatte, US Patent 5,008,786. This rejection is respectfully traversed.

Claim 1 has been amended to clarify that the compromise for which recovery processing occurs is with respect to a mapping table, and in particular anchor points are processed to find data elements in managed order, and these found data elements are processed to recover the compromised mapping table. Thatte teaches that its page table may be recovered by restoring it to a previous version (Col. 15, lines 9-15), and then updating the page table using page log entries (Col. 17, lines 18-26). This page log entry identifies a virtual page, and shows old and new disk addresses (Col. 15, lines 16-19). This is in contrast to the claimed invention, where the data elements themselves are processed to recover the compromised mapping table. Thus, amended Claim 1 is shown to not be anticipated by the cited reference.

Nor would it have been obvious to modify the teachings of Thatte pursuant to the claimed invention, as Thatte teaches that data that has been modified since its last checkpoint is discarded as a part of the data restoration process (Col. 17, lines 26-33), with the page table being restored to an earlier (checkpointed) version of such table (Col.

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15, lines 9-11). There is thus no reason or other motivation to modify the teachings of Thatte in accordance with the claimed invention, which processes anchor points to find data elements in managed order, and then processing such found data elements to recover the compromised mapping table. The fact that a prior art device could be modified so as to produce the claimed device is not a basis for an obviousness rejection unless the prior art suggested the desirability of such a modification. *In re Gordon*, 733 F.2d 900, 221 USPQ 1125 (Fed. Cir. 1984). There is simply no suggestion of any desire to modify the teachings of Thatte in accordance with the claimed invention recited in Claim 1, and thus in addition to not being anticipated, it is also shown that Claim 1 would not have been obvious in view of the Thatte teachings.

Applicants initially traverse the rejection of Claims 2, 5 and 6 for reasons given above regarding Claim 1 (of which Claims 2, 5 and 6 depend upon).

Further with respect to Claim 2, such claim has been amended to recite features associated with the anchor points, as described at Specification page 13, lines 12-16 et seq. The cited reference does not teach or suggest these types of anchor points, but instead merely maintains a traditional pointer in a page fault table (Thatte col. 18, lines 37-43; FIG 10). Thus, amended Claim 2 is further shown to not be anticipated by the cited reference.

Applicants traverse the rejection of Claim 7 (and similarly for dependent Claims 8, 11 and 12) for similar reasons to those given above regarding Claim 1.

Further with respect to Claim 8, Applicants have amended such claim similar to Claim 2, and Applicants further traverse the rejection of Claim 8 for further reasons given above with respect to Claim 2.

Therefore, the rejection of Claims 1-2, 5-8 and 11-12 under 35 U.S.C. § 102 has been overcome.

III.   35 U.S.C. § 103, Obviousness

A.   The Examiner rejected Claims 3 and 9 under 35 U.S.C. § 103 as being unpatentable over Thatte, US Patent 5,008,786 in view of Michels et al., US Patent 6,549,519. This rejection is respectfully traversed.

Applicants initially traverse the rejection of Claims 3 and 9 for similar reasons to those given above regarding Claim 1, and show that none of the cited references teach or

suggest the claimed step of "launching processing for each data element found to recover the compromised mapping table".

Further with respect to Claim 3 (and similarly for Claim 9), the Examiner alleges that the cited Michels reference teaches a lookup table that includes *addresses* that are maintained in sorted order. In contrast, Claim 3 is directed to *data elements* that are sorted by *address*. To the extent that the Examiner is interpreting an address to be a type of data, Applicants have amended Claim 3 to further distinguish the invention recited therein from the Michels' teachings, and per amended Claim 3 the data itself is sorted according to the physical address of the data. Thus, for example, if data 1, 2, 3 and 4 were sorted according to their physical address, the result may be 3, 2, 4, 1. Sorting address entries as taught by Michels would result in either 1, 2, 3, 4 (if an ascending sort) or 4, 3, 2, 1 (if a descending sort). Restated, Michels teaches a sort of the address itself, not a sort of data based on the underlying address of such data. Thus, Claim 3 (and similarly for Claim 9) is further shown to not be obvious in view of the cited references.

Therefore, the rejection of Claims 3 and 9 under 35 U.S.C. § 103 has been overcome.

B.   The Examiner rejected Claims 4 and 10 under 35 U.S.C. § 103 as being unpatentable over Thatte, US Patent 5,008,786 in view of Michels et al., US Patent 6,549,519. This rejection is respectfully traversed.

Applicants traverse the rejection of Claims 4 and 10 for similar reasons to those given above regarding Claim 1, and show that none of the cited references teach or suggest the claimed step of "launching processing for each data element found to recover the compromised mapping table".

Therefore, the rejection of Claims 4 and 10 under 35 U.S.C. § 103 has been overcome.
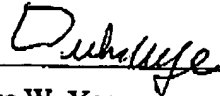
IV.   <u>Newly added Claims</u>

Claims 13-20 have been added herewith. Examination of such claims is respectfully requested.

V.   Conclusion

It is respectfully urged that the subject application is patentable over the cited references and is now in condition for allowance. The Examiner is invited to call the undersigned at the below-listed telephone number if in the opinion of the Examiner such a telephone conference would expedite or aid the prosecution and examination of this application.

DATE: __11/3/05__

Respectfully submitted,

Duke W. Yee
Reg. No. 34,285
Wayne P. Bailey
Reg. No. 34,289
Yee & Associates, P.C.
P.O. Box 802333
Dallas, TX 75380
(972) 385-8777
Attorneys for Applicants